

**Before the
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of:

Public Notice on 855 Toll Free Code
Opening Allocation

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CC Docket No. 95-155
DA 10-1604

COMMENTS ON PUBLIC NOTICE

DATABASE SERVICES MANAGEMENT, INC.

Database Services Management, Inc, hereinafter DSMI, hereby submits comments to the Federal Communications Commission (FCC or “Commission”) on its Public Notice requesting Comments on the 855 Toll Free code opening allocation in the above-captioned proceeding.¹ On June 25, 2010, the Wireline Competition Bureau (Bureau) issued a letter authorizing DSMI, the Toll Free Number Administrator, to open the 855 toll free code on October 2, 2010, due to the projected exhaust of available toll free numbers. In its public notice, the FCC is seeking comment on whether any allocation scheme or rationing of new 855 toll free numbers is needed. The Notice reiterates that Commission rules strictly prohibit warehousing, hoarding, and brokering of toll free numbers.² Further, the Commission rules provide that a toll free number may

¹ Public Notice “Comments Sought on 855 Toll Free Code Opening Allocation” DA 10-1604, released August 27, 2010.

² See, 47 C.F.R. § 52.105(a) and 107(a).

only be reserved at the request of a legitimate end-user customer and may not be reserved with the intent of selling said number for a fee.³

BACKGROUND

DSMI is the Toll Free Number Administrator, appointed by the Commission. DSMI has been directed by the FCC to open the 855 toll free code. While DSMI is the designated Toll Free Number Administrator, SMS/800 Services are provided by SMS/800, Inc., an entity wholly owned and controlled by the Bell Operating Companies (BOCs). We provide the following comments in order to help assure a smooth and efficient opening of the 855 code.

DISCUSSION

Like all well designed and properly sized systems, the SMS/800 system is designed to handle the normal day-to-day volume of traffic presented to it by its user population, with sufficient extra capacity to handle the expected peaks that occur from time to time. Whenever a new toll free code is opening, such as is scheduled to happen on October 2, 2010, when the 855 code is opened, the SMS/800 is inundated with an extremely large volume of user requests, all focused on the reservation of numbers from the newly opened code.

Since the last code opening in July 2000, the number of Responsible Organizations (Resp Orgs) accessing the system has grown to approximately 380 Entities, with more and more companies using automated tools to target 'desirable' numbers more quickly and more effectively. In such an environment, DSMI believes it would be useful to have in place an 855 number reservation allocation scheme that would help not only protect the SMS/800 system itself, but would also be useful in assuring a fair and equitable

³ See, 47 C.F.R. §§ 52.101-52.111.

allocation of 855 reservations. The Commission and the Resp Orgs are aware of the fact that SMS/800, Inc. has implemented an allocation capability, which is not currently activated, that offers the following options:

- 1) Allocation based on the relative size of the various Resp Orgs;
- 2) Allocation based on a flat rate across all Resp Orgs;
- 3) Allocation based on a combination of (1) and (2) above; or
- 4) Allocation based on table values defined by the Commission.

This allocation scheme was put in place to allocate number reservations in the currently open codes (800, 888, 877, and 866) to assure an adequate supply of toll free numbers prior to the opening of the 855 code. That scheme would need to be modified to support allocation for the 855 numbers, which could be accomplished in approximately two weeks.

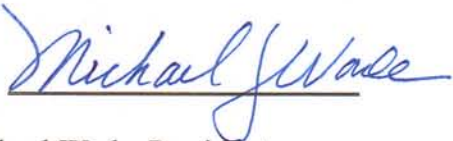
It is important to note that while DSMI serves as the FCC's designated Toll Free Number Administrator, SMS/800 services are provided via a tariff owned and initiated by the Bell Operating Companies (BOCs) and managed by SMS/800, Inc. To implement such an allocation scheme or rationing would require that the Commission mandate that the BOCs and SMS/800, Inc. implement the 855 allocation scheme defined by the Commission.

CONCLUSION

For the foregoing reasons, DSMI urges the FCC to consider our comments and recommendations. By adopting our recommendations, we believe that the Commission can help ensure an equitable approach to the opening of the 855 toll free code to ensure that the toll free numbers are distributed fairly, in compliance with its rules.

Respectfully submitted,

DSMI

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